

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

<i>In re</i>	:	
FTX TRADING LTD., <i>et al.</i> ¹	:	Chapter 11
Debtors.	:	Case No. 22-11068 (JTD) (Jointly Administered)
	:	Re: D.I. 7909, 8047 & 8048
	:	

CERTIFICATION OF COUNSEL

Undersigned counsel for the United States Trustee certifies:

1. On February 23, 2024, the Court entered the *Order Directing Appointment of Examiner* [D.I. 7909].
2. On February 27, 2024, the United States Trustee filed the *Notice of Appointment of Examiner* [D.I. 8047] (the “Appointment Notice”). The Appointment Notice appoints Robert J. Cleary, Esq. as the examiner in the above-captioned debtors’ (the “Debtors”) cases, subject to Court approval.
3. On February 27, 2024, the United States Trustee also filed an *(I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion To File Certain*

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

Information Regarding Potential Parties in Interest under Seal [D.I. 8048] (the “Motion/Application”).

4. After filing the Motion/Application, the United States Trustee sought comments from the Debtors, the Official Committee of Unsecured Creditors, the Ad Hoc Committee of Non-US Customers of FTX.com, the Joint Official Liquidators of FTX Digital Markets Ltd., the Securities and Exchange Commission, and Mr. Cleary regarding the proposed form of order submitted with Motion/Application.

5. As a result of comments and discussions that followed, the Debtors, Mr. Cleary, and the United States Trustee have agreed to entry of the revised form of order attached hereto as **Exhibit A** (the “Revised Scope Order”). A redline comparing the Revised Scope Order to the form of order filed with the Motion/Application is attached hereto as **Exhibit B**.

6. The United States Trustee circulated the Revised Scope Order to the other parties listed in paragraph 4 above. Counsel to the Official Committee of Unsecured Creditors and the Ad Hoc Committee of Non-US Customers of FTX.com have advised that their clients have no issues with the Revised Scope Order. Counsel to the Securities and Exchange Commission has advised that she does not object to entry of the Revised Scope Order. Counsel to the Joint Official Liquidators of FTX Digital Markets Ltd. has not yet responded to the United States Trustee’s outreach.

7. The United States Trustee intends to present the Revised Scope Order for the Court’s consideration at the March 20, 2024 hearing.

Dated: Wilmington, Delaware
March 15, 2024

Respectfully submitted,

ANDREW R. VARA
UNITED STATES TRUSTEE
REGIONS 3 AND 9

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